

MESSAGE NO: 4293302 MESSAGE DATE: 10/20/2014

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: AFF-Affirmative

FR CITE: 79 FR 61609 FR CITE DATE: 10/14/2014

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-872

EFFECTIVE DATE: 10/14/2014 COURT CASE #:

PERIOD OF REVIEW: 07/01/2012 TO 06/30/2013

PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Notice of final determination in the antidumping duty investigation of non-oriented electrical steel from Japan (A-588-872) and critical circumstances

1. On 10/14/2014, Commerce published in the Federal Register (79 FR 61609) its final affirmative determination of sales at less-than-fair-value and final affirmative determination of critical circumstances, in part, in the antidumping duty investigation of non-oriented electrical steel from Japan (A-588-872).

2. The products covered by this investigation are described below:

The merchandise subject to this investigation consists of non-oriented electrical steel (NOES), which includes cold-rolled, flat-rolled, alloy steel products, whether or not in coils, regardless of width, having an actual thickness of 0.20 mm or more, in which the core loss is substantially equal in any direction of magnetization in the plane of the material. The term "substantially equal" means that the cross grain direction of core loss is no more than 1.5 times the straight grain direction (i.e., the rolling direction) of core loss. NOES has a magnetic permeability that does not exceed 1.65 Tesla when tested at a field of 800 A/m (equivalent to 10 Oersteds) along (i.e., parallel to) the rolling direction of the sheet (i.e., B800 value). NOES contains by weight more than 1.00 percent of silicon but less than 3.5 percent of silicon, not more than 0.08 percent of carbon, and not more than 1.5 percent of aluminum. NOES has a surface oxide coating, to which an insulation coating may be applied.

NOES is subject to this investigation whether it is fully processed (i.e., fully annealed to develop final magnetic properties) or semi-processed (i.e., finished to final thickness and physical form but not fully annealed to develop final magnetic properties). Fully processed NOES is typically made to the requirements of ASTM specification A 677, Japanese Industrial Standards (JIS) specification C 2552, and/or International Electrotechnical Commission (IEC) specification 60404-8-4. Semi-processed NOES is typically made to the requirements of ASTM specification A 683. However, the scope of this investigation is not limited to merchandise meeting the ASTM, JIS and IEC specifications noted immediately above.

NOES is sometimes referred to as cold-rolled non-oriented (CRNO), non-grain oriented (NGO),

non-oriented (NO), or cold-rolled non-grain oriented (CRNGO) electrical steel. These terms are interchangeable.

Excluded from the scope of this investigation are flat-rolled products not in coils that, prior to importation into the United States, have been cut to a shape and undergone all punching, coating, or other operations necessary for classification in Chapter 85 of the Harmonized Tariff Schedule of the United States (HTSUS) as a part (i.e., lamination) for use in a device such as a motor, generator, or transformer.

The subject merchandise is provided for in subheadings 7225.19.0000, 7226.19.1000, and 7226.19.9000 of the HTSUS. Subject merchandise may also be entered under subheadings 7225.50.8085, 7225.99.0090, 7226.92.5000, 7226.92.7050, 7226.92.8050, 7226.99.0180 of the HTSUS. Although HTSUS subheadings are provided for convenience and Customs purposes, the written description of the scope is dispositive.

3. This investigation has been assigned investigation number A-588-872.

4. Commerce has determined that critical circumstances exist for imports of non-oriented electrical steel from Japan, from JFE Steel Corporation (A-588-872-001) and Sumitomo Corporation (A-588-872-002). Thus, CBP shall continue to suspend liquidation of all appropriate entries of non-oriented electrical steel from Japan that are entered, or withdrawn from warehouse, for consumption on or after 02/21/2014, which is 90 days before the date of publication of the preliminary determination in the Federal Register. Effective 10/14/2014, CBP shall require, for such entries, a cash deposit equal to the margins for the producers and/or exporters listed below:

Producer and/or Exporter: JFE Steel Corporation

Case number: A-588-872-001

Cash deposit rate: 204.79%

Producer and/or Exporter: Sumitomo Corporation

Case number: A-588-872-002

Cash deposit rate: 204.79%

5. Commerce has determined that critical circumstances do not exist for imports of non-oriented electrical steel from Japan from all other companies (companies other than JFE Steel Corporation and Sumitomo Corporation, as noted in paragraph 4 above). Commerce will send separate instructions to CBP regarding shipments of the merchandise under investigation from these companies that was entered, or withdrawn from warehouse, for consumption before 05/22/2014,

which are the entries affected by the negative critical circumstances determination. Effective 10/14/2014, CBP shall require, for such entries, a cash deposit equal to the margin listed below:

All Others

Case Number: A-588-872-000

Cash Deposit Rate: 135.59%

6. If any entries of this merchandise are exported by a firm other than the producer, then the following instructions apply:

A. If the exporter of the subject merchandise does not have its own rate but the producer has its own rate, the cash deposit will be the producer's rate.

B. Where neither the exporter nor the producer currently has its own rate or the producer is unknown, use the all-others rate of 135.59 percent to establish the cash deposit.

7. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O4: TEM.)

8. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party